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NOTICE OF ALLOWANCE AND FEE(S) DUE

23529

7590

07/01/2008

ADE & COMPANY INC. 2157 Henderson Highway WINNIPEG, MB R2G1P9 CANADA EXAMINER

TORRES, JUAN A

ART UNIT PAPER NUMBER

2611

DATE MAILED: 07/01/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796.416	03/10/2004	Gerald Harron	85195-502 ADB	9044

TITLE OF INVENTION: METHOD AND APPARATUS FOR DIGITAL VECTOR QAM MODULATOR

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$720	\$300	\$0	\$1020	10/01/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

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23529 7590 07/01/2008						C	miccion
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APPLICATION NO.	FILING DATE		FIRST NAMED INVENTOR	MED INVENTOR		RNEY DOCKET NO.	CONFIRMATION NO.
10/796,416	03/10/2004	•	Gerald Harron	85195-502 ADI		5195-502 ADB	9044
TITLE OF INVENTION	I: METHOD AND APPA	ARATUS FOR DIGITAL	VECTOR QAM MODUL	ATOR			
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APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSU	E FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$720	\$300	\$0 \$		\$1020	10/01/2008
EXAM	IINER	ART UNIT	CLASS-SUBCLASS				
TORRES	, JUAN A	2611	375-298000				
 Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required. 			2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.				
PLEASE NOTE: Unl	less an assignee is ident th in 37 CFR 3.11. Comp	tified below, no assignee	OT a substitute for filing an (B) RESIDENCE: (CITY	atent. If an assign assignment. and STATE OR C	COUNT	TRY)	ocument has been filed for
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5. Change in Entity Sta	`	· · · · · · · · · · · · · · · · · · ·		1		WWW	ED 1.07(.)(0)
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ADE & COMPANY INC.			TORRES, JUAN A		
2157 Henderson Highway			ART UNIT	PAPER NUMBER	
WINNIPEG, MB R2G1P9 CANADA				2611 DATE MAILED: 07/01/200	8

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 935 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 935 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 (571)-272-4200.

	Application No.	Applicant(s)
	10/796,416	HARRON ET AL.
Notice of Allowability	Examiner	Art Unit
	JUAN A. TORRES	2611
The MAILING DATE of this communication apperature All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R of the Office or upon petition by the applicant. See 37 CFR 1.313	ears on the cover sheet with the co (OR REMAINS) CLOSED in this apply or other appropriate communication IGHTS. This application is subject to	plication. If not included will be mailed in due course. THIS
1. This communication is responsive to <u>Amendment - After N</u>	lon-Final Rejection filed on 02/28/200	<u>08</u> .
2. The allowed claim(s) is/are <u>1-33</u> .		
3. ☐ Acknowledgment is made of a claim for foreign priority up a) ☐ All b) ☐ Some* c) ☐ None of the: 1. ☐ Certified copies of the priority documents have		
2. ☐ Certified copies of the priority documents have		
3. ☐ Copies of the certified copies of the priority do	· · · · · · · · · · · · · · · · · · ·	
International Bureau (PCT Rule 17.2(a)).		
* Certified copies not received:		
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		complying with the requirements
4. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give		
5. \square CORRECTED DRAWINGS (as "replacement sheets") must	st be submitted.	
(a) ☐ including changes required by the Notice of Draftspers	son's Patent Drawing Review (PTO-	948) attached
1) 🔲 hereto or 2) 🔲 to Paper No./Mail Date	·	
(b) ☐ including changes required by the attached Examiner' Paper No./Mail Date	s Amendment / Comment or in the C	Office action of
Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in t		
6. DEPOSIT OF and/or INFORMATION about the deposit attached Examiner's comment regarding REQUIREMENT		
Attachment(s)	E	latant Annication
 Notice of References Cited (PTO-892) Notice of Draftperson's Patent Drawing Review (PTO-948) 	 5. ☐ Notice of Informal P 6. ☐ Interview Summary 	
	Paper No./Mail Dat	te .
3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date	7. 🛛 Examiner's Amendr	nent/Comment
4. Examiner's Comment Regarding Requirement for Deposit of Biological Material	ent of Reasons for Allowance	
	9.	

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DETAILED ACTION

Drawings

The modifications to the drawings were received on 02/28/2008. These modifications are accepted by the Examiner.

In view of the amendment filed on 02/28/2008, the Examiner withdraws Drawing objections of the previous Office action.

Specification

The modifications to the specification were received on 02/28/2008. These modifications are accepted by the Examiner.

In view of the amendment filed on 02/28/2008, the Examiner withdraws Specification objections of the previous Office action.

Claim Objections

The modifications to the claims were received on 02/28/2008. These modifications are accepted by the Examiner.

In view of the amendment filed on 02/28/2008, the Examiner withdraws claim objections to claim 4, 5, 14, 16, 20, 21 and 27 of the previous Office action.

Claim Rejections - 35 USC § 112

The modifications to the claims were received on 02/28/2008. These modifications are accepted by the Examiner.

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In view of the amendment filed on 02/28/2008, the Examiner withdraws claim rejections under 35 USC § 112 second paragraph to claims 8, 26 and 31 of the previous Office action.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Adrian D. Battison on 6/25/2008.

The application has been amended as follows:

A completed text for all the claims follows:

"Claims:

1. An apparatus for directly generating a QAM RF signal comprising:

a high speed reference clock providing an input signal having a series of reference pulses at a frequency of the high speed reference clock which is higher than a desired output frequency;

two digitally controlled programmable digital delay elements each arranged to receive the reference pulses from the high speed reference clock and to generate therefrom using input data a respective one of two fixed amplitude output digital vectors; and

a signal combining element for receiving the fixed amplitude output digital vectors from the two digitally controlled programmable digital delay elements and for generating the QAM RF signal therefrom which signal is amplitude and phase modulated and in which the desired output frequency is determined by an increment value.

2. An apparatus for directly generating a QAM RF signal comprising:

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a high speed reference clock providing an input signal having a series of reference pulses at a frequency of the high speed reference clock which is higher than a desired output frequency;

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two digitally controlled programmable digital delay elements each arranged to receive the reference pulses from the high speed reference clock and to generate therefrom using input data a respective one of two fixed amplitude output digital vectors; and

a signal combining element for receiving the fixed amplitude output digital vectors from the two digitally controlled programmable digital delay elements and for generating the QAM RF signal therefrom which signal is amplitude and phase modulated; wherein there are provided amplifiers for amplifying the two fixed amplitude output digital vectors non linearly before combining.

- 3. The apparatus according to claim 1 wherein the two digitally controlled programmable digital delay elements comprise high speed adders/accumulators wherein said high speed adders/accumulators are arranged to determine an amount of delay implemented by the two digitally controlled delay elements on the high speed reference clock.
- 4. An apparatus for directly generating a QAM RF signal comprising:

a high speed reference clock providing an input signal having a series of reference pulses at a frequency of the high speed reference clock which is higher than a desired output frequency;

two digitally controlled programmable digital delay elements each arranged to receive the reference pulses from the high speed reference clock and to generate therefrom using input data a respective one of two fixed amplitude output digital vectors; and

a signal combining element for receiving the fixed amplitude output digital vectors from the two digitally controlled programmable digital delay elements and for generating the QAM RF signal therefrom which signal is amplitude and phase modulated;

wherein the two digitally controlled programmable digital delay elements comprise high speed adders/accumulators wherein said high speed adders/accumulators are arranged to determine an amount of delay implemented by the two digitally controlled delay elements on the high speed reference clock; and wherein an increment value is set according to the following equation:

Increment Value = ((f_{ref}/f_{out} -1) * 2ⁿ where f_{ref} = Reference clock frequency f_{out} = Desired output frequency n = Number of bits in accumulator math.

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5. An apparatus for directly generating a QAM RF signal comprising:

a high speed reference clock providing an input signal having a series of reference pulses at a frequency of the high speed reference clock which is higher than a desired output frequency;

two digitally controlled programmable digital delay elements each arranged to receive the reference pulses from the high speed reference clock and to generate therefrom using input data a respective one of two fixed amplitude output digital vectors; and

a signal combining element for receiving the fixed amplitude output digital vectors from the two digitally controlled programmable digital delay elements and for generating the QAM RF signal therefrom which signal is amplitude and phase modulated;

wherein the two digitally controlled programmable digital delay elements comprise high speed adders/accumulators wherein said high speed adders/accumulators are arranged to determine an amount of delay implemented by the two digitally controlled delay elements on the high speed reference clock signal; and

wherein a duty cycle of the two fixed amplitude output digital vectors is set by initializing a difference of initializing values of two accumulators according to the following equation: the high speed reference clock frequency divided by the desired output frequency multiplied by 2ⁿ, multiplied by (p/100), where p is a percentage duty cycle and n is a number of bits in the accumulator math.

- 6. The apparatus according to claim 1 wherein said high speed reference clock is an external input with high frequency absolute accuracy and very low phase noise performance.
- 7. The apparatus according to claim 1 wherein said two digitally controlled programmable delay elements delay a reference edge of the input high speed reference clock.
- 8. The apparatus according to claim 7 wherein said reference edge of the input high speed reference clock may be either a rising or falling edge of the high speed reference clock.
- 9. The apparatus according to claim 1 wherein said two digitally controlled delay elements have separate controls for producing a rising and falling edges of an output from a same input edge of the high speed reference clock.
- 10. The apparatus according to claim 1 wherein implementation of the two digitally controlled delay elements may vary by altering the input high speed reference clock signal.

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11. The apparatus according to claim 3 wherein said adders/accumulators are arranged to determine the amount of digitally controlled delay implemented by the two digitally controlled delay elements on the high speed reference clock to produce the desired RF frequency.

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- 12. The apparatus according to claim 1 wherein said two digitally controlled programmable digital delay elements include modulation adders which add in a positive or negative phase offset to an accumulator value to produce a required modulation.
- 13. The apparatus according to claim 1 wherein there is provided an interpolator which interpolates the input data in the form of base band modulated information.
- 14. The apparatus according to claim 13 wherein the interpolator is a linear interpolator or a $(\sin x)/x$. interpolator filter.
- 15. The apparatus according to claim 13 wherein the interpolator effects interpolation up to the high speed reference clock rate so as to avoid the use of a reconstruction filter.
- 16. The apparatus according to claim 1 wherein there are provided separate interpolators for both the rising and falling pulse edges.
- 17. The apparatus according to claim 1 wherein there is provided a pulse swallow circuit which is arranged to ignore/block multiple high speed reference clock pulses.
- 18. The apparatus according to claim 17 wherein the pulse swallow circuit is arranged such that it is controlled by carry bits (overflow bits) in order to extend the delay to multi cycles of the input high speed reference clock.
- 19. The apparatus according to claim 17 wherein said pulse swallow circuit is located prior to or following each of the two digitally controlled programmable delay elements.
- 20. The apparatus according to claim 1 wherein the two digitally controlled programmable digital delay elements are arranged such that 360 degrees of phase delay of the digitally controlled programmable delay is calibrated to 2ⁿ of a phase accumulator value using a look up table or microprocessor.
- 21. The apparatus according to claim 20 wherein the lookup table has a multiple set of lookup tables to be used for temperature compensation of the two digitally controlled programmable delay elements.
- 22. The apparatus according to claim 1 wherein said signal combining element comprises flip-flops which are used to combine the separate rising and falling edge delays to form any desired duty cycle output.

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23. The apparatus according to claim 22 wherein the two digitally controlled programmable digital delay elements are arranged such that said duty cycle of the output is varied by changing the difference in the initialization values of accumulators for the rising and falling edge delay control.

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- 24. The apparatus according to claim 22 wherein the two digitally controlled programmable digital delay elements are arranged such that said output duty cycle is not dependent on the input duty cycle.
- 25. The apparatus according to claim 22 wherein the phase modulated vector outputs of the flip-flops is amplified using nonlinear amplifiers.
- 26. The apparatus according to claim 8 wherein increment values for the rising and falling edges are the same value.
- 27. The apparatus according to claim 3 wherein the two digitally controlled programmable digital delay elements are arranged such that a worst case frequency resolution is determined by the equation: the high speed reference frequency divided by 2ⁿ, where n is equal to the number of bits in an accumulator.
- 28. The apparatus according to claim 3 wherein the two digitally controlled programmable digital delay elements are arranged such that increasing the number of bits in the adder math increases the frequency resolution with negligible degradation in the phase noise performance.
- 29. The apparatus according to claim 3 wherein the two digitally controlled programmable digital delay elements are arranged such that the number of bits of math used in the adders/accumulators can be equal to or exceed the number of bits of control in lookup table and/or the programmable delay.
- 30. The apparatus according to claim 3 wherein the two digitally controlled programmable digital delay elements include parallel processing in the adders and/or accumulators to increase the speed.
- 31. The apparatus according to claim 3 wherein the two digitally controlled programmable digital delay elements are arranged such that the adders/accumulators are implemented in a lookup table containing data which is pre-computed and stored.
- 32. The apparatus according to claim 1 wherein the apparatus is formed fully digitally in an application-specific integrated circuit (ASIC) with no requirement for a voltage controlled oscillator, loop filter, or digital to analog converter. "

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33. The apparatus according to claim 1 wherein there is further provided amplification and filtering of an output QAM RF signal to produce a signal that is higher in amplitude and/or having fewer harmonics."

Allowable Subject Matter

Claims 1-33 are allowed.

The following is an examiner's statement of reasons for allowance: Claims 1-33 are allowed because a comprehensive search of prior art failed to teach, either alone or in combination, a high speed reference clock providing in an input signal having a series of pulses at a frequency of the high speed reference clock which is higher than a desired output frequency, two digitally controlled programmable digital delay elements each arranged to receive reference pulses from the high speed reference clock and to generate therefrom using input data a respective one of two fixed amplitude output digital vectors, and a signal combining element for receiving the fixed amplitude output digital vectors from the two digitally controlled programmable digital delay elements and for generating the QAM RF signal therefrom which signal is amplitude and phase modulated and in which the desired output frequency is determined by an increment value, as the applicant has claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Juan A. Torres whose telephone number is 571-272-3119. The examiner can normally be reached on 8-6 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Juan Alberto Torres 6-25-2008

/Juan A Torres/ Examiner, Art Unit 2611